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DEC 22 2008

In re Application of : **OFFICE OF PETITIONS**
Young :
Application No. 09/738,003 : **DECISION ON PETITION**
Filed: December 14, 2000 :
Attorney Docket No. 812495- :
140/10.220 :

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed October 10, 2008, to revive the above-identified application.

The petition is GRANTED.

The application became abandoned June 25, 2003 for failure to reply in a timely manner to the non-final Office action mailed, March 24, 2003. The non-final Office action set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Notice of Abandonment was mailed January 8, 2004. A petition under 37 CFR 1.137(b) was filed June 1, 2007 and dismissed March 17, 2008.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d).


The instant petition has been carefully reviewed and found in compliance with the requirements set forth above.

The request for continued examination has not been entered as the instant application is not subject to final rejection. The application is being directed to Group Art Unit 2186 for consideration of the amendment to the non-final Office action.

The correspondence address indicated on the petition differs from that contained in the record. If practitioner desires to receive

correspondence at an address other than that contained in the record, the appropriate instruction should be promptly submitted. This decision is being dually mailed. However, all future correspondence will continue to be directed to the correspondence address contained in the record until such time is appropriate instruction is received to the contrary.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3205.



Alesia M. Brown
Petitions Attorney
Office of Petitions

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